

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 18-00325-01/07-CR-W-BCW
)	
JUAN GUZMAN, et al.,)	
)	
Defendants.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

PENDING CHARGES: On November 14, 2018, the grand jury charged Defendants Juan Guzman, Chanthachone Senthavy, Maria De La Cruz Nava, and Jacob Walsh with one count of conspiracy to distribute methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 846 (all defendants); one count of conspiracy to commit money laundering in violation of 18 U.S.C. §§ 1956(a)(1)(A)(i), (B)(i),(ii) and (h) (all defendants); one count of possession of a firearm in furtherance of a drug trafficking crime in violation of 18 U.S.C. § 924(c)(1)(A)(i) (Defendants Guzman, Senthavy and De La Cruz Nava); and one count of illegal re-entry in violation of 8 U.S.C. § 1326(a) and (b)(1) and 6 U.S.C. §§ 202(3), 202(4) and 557 (Defendant Guzman).¹ Doc. 16.

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Bruce Rhoades and Bobby Smith
Government Paralegal: Scott Hammon

Defendant Guzman (1): Fred Duchardt Jr
Defendant Senthavy (2): Allen Ternent and co-counsel Shahzad Ghafoor
Defendant De La Cruz Nava (4): S. Chase Higinbotham
Defendant Walsh (7): Katrina Robertson

¹ The indictment also charged Defendants Luis Caraveo, Shelby Peterman, Christopher Sharp, and John Gnat. Doc. 16. As of the date of this memorandum, Defendant Peterman has passed away (Docs. 154-55), Defendant Gnat entered a change of plea (Doc. 139), and Defendants Caraveo and Sharp are set for changes of plea on October 25, 2021 (Docs. 215-16). As such, they are not proceeding to trial on November 1, 2021.

OUTSTANDING MOTIONS:

Doc. 205 - Report and Recommendation as to Defendant Guzman's Competency filed October 1, 2021.

Doc. 211 – Motion in limine to exclude evidence pursuant to FRE 401-03 filed by Defendant Walsh on October 8, 2021.

Doc. 212 – Motion in limine to exclude evidence relating to the possession or purchase of guns filed by Defendant Walsh on October 8, 2021.

Doc. 213 – Motion in limine to exclude evidence related to robbery charges out of Wyandotte County filed by Defendant Guzman on October 10, 2021.

Doc. 214 – Motion in limine to exclude evidence filed by Defendant Senthavy on October 12, 2021.

TRIAL WITNESSES:

Government: 30

Defendant Guzman: Less than 5

Defendant Senthavy: 2

Defendant De La Cruz Nava: 1

Defendant Walsh: 1

TRIAL EXHIBITS:

Government: 100 (30-35 of which are expected to be photographs)

Defendant Guzman: Less than 20

Defendant Senthavy: 0

Defendant De La Cruz Nava: 2

Defendant Walsh: 0

DEFENSES FOR ALL DEFENDANTS: General denial.

POSSIBLE DISPOSITION:

(X) Definitely for trial for Defendants Guzman and De La Cruz Nava

(X) Possibly for trial for Defendants Senthavy and Walsh

TRIAL TIME: Five total days.

STIPULATIONS: The Government has indicated it has possible stipulations, and will work with defense counsel for all defendants regarding such.

UNUSUAL QUESTIONS OF LAW: None at this time.

FILING DEADLINES:

Witness and Exhibit Lists:

Government: Due on or before October 15, 2021.

Defendants De La Cruz Nava, Senthavy and Walsh: On or before October 15, 2021.

Defendant Guzman: On or before October 21, 2021.

PLEASE NOTE: Counsel and all defendants are requested to list witnesses in alphabetical order on their witness list.

Rule 16 Expert Notice: Due on or before October 15, 2021.

Giglio and Informants: Due on or before October 18, 2021.

Exhibit Index, if required by the District Court, Voir Dire, Jury Instructions: Due Monday, October 25, 2021.

PLEASE NOTE: Jury instructions must comply with Local Rule 51.1

TRIAL SETTING: Criminal jury trial docket set for November 1, 2021.

PLEASE NOTE: Counsel for the Government has requested a second week trial setting due to witness availability, and general scheduling considerations. Counsel for Defendants Guzman, De La Cruz Nava and Walsh indicated they had no objection to a second week setting. Counsel for Defendant Senthavy stated he preferred a first week setting, but would agree to the second week. If set on the second week, counsel indicated they would be willing to start voir dire the week before to accommodate the holiday that falls within the second week.

IT IS SO ORDERED.

DATE: October 14, 2021

/s/ W. Brian Gaddy
W. BRIAN GADDY
UNITED STATES MAGISTRATE JUDGE